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7                   **UNITED STATES DISTRICT COURT**  
8                   **DISTRICT OF NEVADA**  
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10       MARK MILLER,

11                  Plaintiff,

12       v.

13       E.K. McDANIEL, et al.,

14                  Defendants.

Case No. 3:06-CV-00077-KJD-VPC

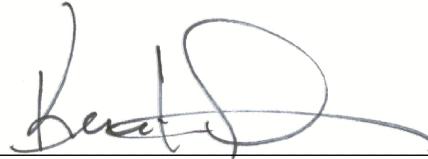
**ORDER**

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16       Presently, the Court has before it the Report and Recommendation (#27) of U.S. Magistrate  
17 Judge Valerie P. Cooke entered January 11, 2007. In her report, Magistrate Judge Cooke  
18 recommends the denial of Plaintiff's Motion for Preliminary Injunction (#9). The parties had ten  
19 days from service of the Report and Recommendation to file objections to it. See 28 U.S.C.  
20 § 636(b)(1); D. Nev. R. IB 3-2(a). The time to file objections has passed and neither party has filed  
21 such. Moreover, the Court has reviewed the record in this case in accordance with 28 U.S.C.  
22 § 636(b)(1) and Local Rule IB 3-2(b). The Court determines that the Report and Recommendation  
23 of Magistrate Judge Valerie P. Cooke entered January 11, 2007 shall be adopted. Plaintiff's Motion  
24 for Preliminary Injunction (#9) lacks merit.

25       Accordingly, IT IS HEREBY ORDERED that the Report and Recommendation (#27) of U.S.  
26 Magistrate Judge Valerie P. Cooke entered January 11, 2007 is **APPROVED** and **ADOPTED**.

1 IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunction (#9) is  
2 **DENIED.**

3 DATED this 1st day of February 2007.

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7 Kent J. Dawson  
8 United States District Judge  
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